UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
	X
MICHAEL RAPAPORT and MICHAEL DAVID PRODUCTIONS, INC., Plaintiffs,	: Case No. 1:18-CV-08783
-against-	: NOTICE OF PLAINTIFFS' MOTION FOR RECONSIDERATION OF MARCH
BARSTOOL SPORTS, INC., ADAM SMITH, KEVIN CLANCY, ERIC NATHAN and DAVID PORTNOY,	29, 2021 MEMORANDUM AND ORDER OR IN THE ALTERNATIVE FOR
Defendants.	•
	: X
	X
BARSTOOL SPORTS, INC.,	:
Counterclaimant,	:
-against-	:
MICHAEL RAPAPORT and MICHAEL DAVID PRODUCTIONS, INC.,	:
Cross-Defendants.	: :
	:
	X

NOTICE OF PLAINTIFFS' MOTION FOR RECONSIDERATION OF MARCH 29, 2021 MEMORANDUM AND ORDER, OR, IN THE ALTERNATIVE, FOR CERTIFICATION OF INTERLOCUTORY APPEAL

PLEASE TAKE NOTICE that, upon the accompanying: (1) Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Reconsideration of this Court's March 29, 2021 Memorandum and Order, Or, In the Alternative, For Certification of Interlocutory Appeal; and (2) Declaration of Jacob Vega; and upon all prior pleadings and proceedings in this Action, Plaintiffs

Michael Rapaport and Michael David Productions, Inc. (collectively "Plaintiffs") move for

reconsideration of this Court's March 29, 2021 Memorandum and Order (ECF No. 151) ("Order"),

which ruled upon both Plaintiffs' Motion for Summary Judgment (ECF No. 103) against Defendants

Barstool Sports, Inc. ("Barstool"), David Portnoy, Adam Smith, Kevin Clancy, and Eric Nathan

(collectively "Defendants") and Defendants' Motion for Partial Summary Judgment (ECF No. 119).

This motion for reconsideration is brought with respect to Counts VIII-XI of the FAC and Barstool's

Counterclaim.

In the alterative, Plaintiffs request that this Court certify these issues for interlocutory appeal

and acknowledge that the Order involves controlling questions of law as to which there are substantial

grounds for difference of opinion and that an immediate appeal from the Order would materially

advance the ultimate termination of the litigation.

DATED: April 12, 2020

KING & BALLOW

By: /s/Richard S. Busch

Richard S. Busch (SB 5613)

Attorney for Plaintiffs

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